

Application No.: 10/759,746

17355CIP4 (BOT)

Fernandez-Salas, E., et al., Methods of Identifying Compounds that  
Alter Toxin Persistence and/or Protease Activity

### REMARKS

#### Amendments to the Claims

The Applicants respectfully ask the Examiner to replace all prior versions and listings of claims in the present application with the listing of claims currently provided. Claims 49-55 were cancelled.

#### Restriction Requirement under 35 U.S.C. §121

The Examiner has restricted the present application under 35 U.S.C. §121 as allegedly disclosing two unrelated inventions (I and II). The Examiner has required the Applicants to select one group. The Applicants elect to prosecute Examiner's Group I which currently comprises Claims 1-48 and, according to the Examiner, are drawn towards a method of identifying a compound that alters the activity of a Clostridial toxin.

The Examiner has also required an election of a single species from Group I comprising toxins A-H (Botulinum type A, Botulinum type B, Botulinum type C1, Botulinum type E, Botulinum type F, Botulinum type G and Tetanus toxin). The Examiner has required the Applicants to select one species from the species group. The Applicants elect to prosecute species A, Botulinum type A.

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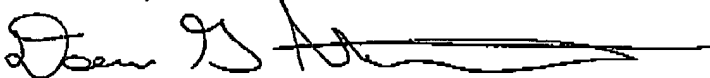
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### CONCLUSION

For the above reasons the Applicants respectfully submit that the claims are in condition for allowance, and the Applicants respectfully urge the Examiner to issue a Notice to that effect. Should there be any questions, the Examiner is invited to call the undersigned agent. Please use Deposit Account 01-0885 for the payment of any extension of time fees under 37 C.F.R. § 1.136 or any other fees due in connection with the current response.

Respectfully submitted,



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